



East Lansing Police Department  
Request for Public Records  
Michigan Freedom of Information Act

Date of Request: 10 / 16 /2013

Day of the week: M T W Th F

Time: 8 : 30 am / pm

ID Type: LETTER

Taken by: EAB

To be completed by requestor:

Name: SHAWN MUSGROVE

Address: MUCKROCK NEWS  
DEPT MR 8119  
PO BOX 55819

City/St/Zip BOSTON, MA 02205-5819

Phone: ( ) - -

Signature: X 8119-23912040@REQUESTS.MUCKROCK.COM

I am an attorney representing:

P Number:

Due date:

10 / 23

*Handwritten signature*

**OCT 17 2013**

Control #: 1424 - 13

Nature of request/description of public record:

ALL RECORDS FROM JANUARY 2005 TO PRESENT REGARDING DRONES

SEE REQUEST

Freedom of information act requests will be subject to a \$5.00 fee, with extensive searching and processing being billed at a rate of \$10.00 per fifteen (15) minutes spent processing the request. DVDs will be \$25.00 with the exception of MVR DVDs (officer's in car cameras), which will remain at \$15.00.

~ Check or Cash Only ~

Copy Cost: \$ 5.00

Processing: \$

Supplies: \$

Shipping/H \$ 55

Total: \$ 5 55

**Send payment to:**

City of East Lansing  
ATTN: Treasury Department  
410 Abbot Road  
East Lansing, MI 48823

Make checks payable to: City of East Lansing  
Fax Requests to: ELPD Records at (517) 337-7372

Please detach and return with your payment to:

City of East Lansing  
Attn: Treasury Department  
410 Abbot Rd.  
East Lansing, MI 48823



Total amount due \$ 555

(includes all copying, processing, supplies, shipping/handling fees)

FOIA 1424-13 Accident \_\_\_\_\_ Other \_\_\_\_\_

Thank You



## CITY OF EAST LANSING

THE HOME OF MICHIGAN STATE UNIVERSITY

Shawn Musgrove-Muckrock News  
Dept MR 8119  
PO Box 55819  
Boston, MA. 02205-5819

Thursday, October 17, 2013

FOIA Request Number: 1424-13

Dear Sir or Madam :

Your request for disclosure of information has been denied either fully or in part for the following reasons:

- ☐ A public record does not exist under the name given, or by any other name reasonably known (Sec13(5)(4)(b))
- ☐ The information requested is of a personal nature, and disclosure would constitute a clearly unwarranted invasion of the individual's privacy. (Sec13(1)(a))
- ☐ The information requested is an investigative record compiled for law enforcement purposes, the disclosure of which would: ☐ Interfere with law enforcement proceedings in the following way (Sec13(1)(b)(1))
- ☐ Deprive a person of the right to a fair trial or impartial administrative adjudication (Sec13(1)(b)(ii))
- ☐ The records or information specifically described are exempted from disclosure by statute (Sec13(1)(d))
- ☐ The information contains the victims home or work addresses or phone numbers. ESB1180 Sec. 8(3), Sec. 38(2), Sec68(2)
- ☐ The information or records would disclose the social security number of any individual. (Sec13(1)(x))

### EAST LANSING POLICE DEPARTMENT

409 Park Lane  
East Lansing, MI 48823

(517) 337-1731  
Fax (517) 337-7372  
[www.elpolice.com](http://www.elpolice.com)

All requests in attached FOIA Denied- ELPD does not own or use any drones.

Notice: Since your request has been denied in whole or in part, we must inform you that you have the right to do either of the following:

- A. Submit to the City Manager of the City of East Lansing a written appeal that specifically states the word Appeal and identifies the reason or reasons for the reversal of disclosure denial; or
- B. Seek judicial review of this denial in the Circuit Court under Sec 10 of the Michigan Freedom of Information Act. MCL 15.240, a copy of which is enclosed. If you seek judicial review and prevail in whole or in part, the Court may award you reasonable attorney's fees, costs, disbursements, other actual, or compensatory, or punitive damages as described in subsection 10 (7) of the act.

If the Court determines that the records which you seek are not exempt from disclosure, it shall order the public body to produce the record. The Circuit Court for the county in which the complainant resides or has his/her principal place of business, or the Circuit Court for the county in which the public record, or an office of the public body is located, has jurisdiction.

If you seek judicial review and prevail, the court may award you reasonable attorney fees, costs, disbursements, and other actual compensatory and punitive damages. A copy of MCL 15.240(1) is enclosed to further explain your right to appeal and the procedures thereunder.

Sincerely,

Heidi Williams  
FOIA Designee - East Lansing Police Records Bureau

**15.240 Options by requesting person; appeal; orders; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word “appeal” and identifies the reason or reasons for reversal of the denial.

(b) Commence an action in the circuit court to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing an action in circuit court under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. The circuit court for the county in which the complainant resides or has his or her principal place of business, or the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the circuit court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

**History:** 1976, Act 442, Eff. Apr. 13, 1977;—Am. 1978, Act 329, Imd. Eff. July 11, 1978;—Am. 1996, Act 553, Eff. Mar. 31, 1997.

**Popular Name:** Act 442 **Popular Name:** FOIA

**Ebani Bassage - Fwd: Freedom of Information Request: Drone Documents (East Lansing Police Department)**

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**From:** Diane Shafer  
**To:** Heidi Williams  
**Date:** 10/16/2013 8:09 AM  
**Subject:** Fwd: Freedom of Information Request: Drone Documents (East Lansing Police Department)  
**CC:** Barb Joseph; Christie Fell; Ebani Bassage; Sheryl Anderson

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Came in through the general ELPD email box.

Diane Shafer  
Administrative Assistant  
East Lansing Police Department  
>>> <8119-23912040@requests.muckrock.com> 10/15/2013 11:21 PM >>>

October 15, 2013  
East Lansing Police Department  
409 Park Lane  
East Lansing, MI 48823

To Whom It May Concern:

Pursuant to Michigan's Freedom of Information Act ("FOIA"), I hereby request the following records:

All documents created from January 2005 to the date this request is processed related to the agency's use of aerial drones, remotely piloted vehicles (RPVs), remotely piloted aircraft (RPAs), unmanned aerials (UAs), unmanned aerial vehicles (UAVs), and/or unmanned aerial systems (UASs)(hereinafter "drones").

Please search specifically for the below document categories, and respond to each of the categories and items:

1) Acquisition documents:

i) requests for proposals (RFPs), proposals/quotes submitted by vendors, contracts, leases, budget requests, project/equipment budgets, cost allocations or reimbursements for the purchase of drone equipment;

ii) Grant applications and award letters for drone equipment purchases;

- iii) Insurance contracts for all drone equipment;
- iv) Communications (including electronic communications) between the agency head or agency quartermaster (or individual responsible for equipment purchases and maintenance) and drone vendors, manufacturers or retailers;
- v) Communications (including electronic communications) between the agency head and agency quartermaster (or individual responsible for equipment purchases and maintenance) regarding acquisition, lease or use of drone equipment;
- vi) Communications (including electronic communications) between the agency head and the governor, mayor and city/town manager regarding the acquisition of drones;
- vii) Applications (including all components and support documentation) for Certificates of Waiver/Authorization (COA) from the Federal Aviation Administration, as well as COA grant notifications and final agreement;
- viii) Contracts for services related to drones, such as data storage, data analysis, image storage, image analysis, video storage, video analysis, operation, maintenance;

## 2) Equipment logs:

- i) Inventories/logs/lists/databases of all drones owned, leased or operated by or for the agency;
- ii) Maintenance logs for all drones owned, leased or otherwise operated by or for the agency;

## 3) Policy documents:

- i) Policies, guidelines, protocols, manuals and/or instructions on the use/operation of drones and usage of data, images and video obtained from drone flights;
- ii) Communications from the agency head, quartermaster (or individual responsible for overseeing equipment purchases and maintenance) on approved uses for drones;
- iii) Memorandums of understanding (MOUs), memorandums of agreement (MOAs) or any other agreements or contracts with other government agencies, private corporations, organizations or individuals to share drone equipment, data, images or video or to operate drones on behalf of the agency;

## 4) Training documents:

- i) Curriculum used to train drone operators and observers;
- ii) Training log for all drone operators and observers;

- iii) Certifications of training completion for all drone operators and observers;
- iv) Contracts, purchase orders, budget requests or reimbursement orders for training sessions for all drone operators and observers;

5) Usage documents:

- i) Flight logs for all drone flights, including training flights;
- ii) Flight logs transmitted to the Federal Aviation Administration pursuant to Certificate of Waiver/Authorization (COA) requirements;
- iii) Reprimands relating to drones, including misuse of equipment and failure to properly maintain equipment.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Shawn Musgrave

Filed via MuckRock.com

E-mail (Preferred): 8119-23912040@requests.muckrock.com

For mailed responses, please address (see note):

MuckRock News

DEPT MR 8119

PO Box 55819

Boston, MA 02205-5819

PLEASE NOTE the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.

